

In the instant case, objections to the R&R were due by November 21, 2013. Petitioner has not filed an objection. The Court finds that the Report is supported by the record, and agrees with the magistrate judge's recommendation.

(4:11cv1779)

Accordingly, the Court adopts the magistrate judge's Report and Recommendation. [ECF No. 29](#). The petition is dismissed in part and denied in part. Furthermore, the Court certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. [28 U.S.C. § 2253\(c\)](#); [Fed. R. App. P. 22\(b\)](#).

IT IS SO ORDERED.

November 27, 2013
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge